

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

GEORGE COLEMAN, JENNIFER COLEMAN, §
Plaintiffs, § CIVIL ACTION NO. 1:23-CV-00080-MJT
v. § JUDGE MICHAEL TRUNCALE
SOUTHWEST STAGE FUNDING, LLC, §
Defendant. §

ORDER ADOPTING REPORT AND RECOMMENDATION

On May 30, 2023, the Court referred Defendant Southwest Stage Funding, LLC (“Southwest”)’s Motion to Dismiss [Dkt. 7] to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration and disposition pursuant to Title 28 U.S.C. § 636(b)(1)(A) and (3). [Dkt. 22]. On August 28, 2023, Judge Hawthorn issued an order converting the Defendant’s Motion to Dismiss to a Motion for Summary Judgment. [Dkt. 25]. On March 1, 2024, Judge Hawthorn issued his Report and Recommendation, which recommends granting Defendant’s Motion for Summary Judgment. [Dkt. 30].

The Court received and considered the Report and Recommendation of the United States Magistrate Judge pursuant to such referral, along with the record, pleadings, and all available evidence. The parties have not filed objections to the Report and Recommendation, and the time for doing so has passed. *See* 28 U.S.C. § 636(b)(1)(C). After careful review, the Court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

It is, therefore, ORDERED that Judge Hawthorn's Report and Recommendation granting Defendant's Motion for Summary Judgment [Dkt. 30] is ADOPTED. Accordingly, Defendant's Motion for Summary Judgment is GRANTED. It is further ORDERED that Plaintiffs George and Jennifer Coleman's claims against Southwest Stage Funding, LLC are DISMISSED WITH PREJUDICE. The Court will enter a Final Judgment separately.

SIGNED this 19th day of March, 2024.

Michael J. Truncale

Michael J. Truncale
United States District Judge